



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 15 2012

William Vanderbrook, Treasurer  
Scalise for Congress  
P. O. Box 23219  
Jefferson, LA 70183

RE: MUR 6623  
Scalise for Congress and William  
Vanderbrook in his official capacity  
as treasurer

Dear Mr. Vanderbrook:

In the normal course of carrying out its supervisory responsibilities, the Federal Election Commission (the "Commission") became aware of information suggesting that Scalise for Congress and you in your official capacity as treasurer ("Committee") may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). On October 21, 2011, the Committee was notified that it was being referred to the Commission's Office of General Counsel for possible enforcement action under 2 U.S.C. § 437g. On July 31, 2012, the Commission found no reason to believe that Scalise for Congress and you in your official capacity as treasurer violated 2 U.S.C. §§ 441a(f) and 441f. Accordingly, the Commission has closed the file in this matter as it pertains to Scalise for Congress and you in your official capacity as treasurer.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) remain in effect, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed. The Factual and Legal Analysis, which more fully explains the Commission's findings, is enclosed for your information.

If you have any questions, please contact Delbert K. Rigsby, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, reading "Susan L. Lebeaux", is written over the typed name.

Susan L. Lebeaux  
Assistant General Counsel

Enclosure  
Factual and Legal Analysis

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# **FEDERAL ELECTION COMMISSION**

## **FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** Scalise for Congress and  
William Vanderbrook, in his  
official capacity as treasurer

**MUR 6623**

### **I. INTRODUCTION**

This matter was generated based on information ascertained by the Federal Election Commission ("Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

### **II. FACTUAL AND LEGAL ANALYSIS**

#### **A. Factual Summary**

Scalise for Congress and William Vanderbrook, in his official capacity as treasurer, ("Committee") is the principal campaign committee of Representative Stephen Scalise, the successful 2008 candidate for the First Congressional District of Louisiana. Information available to the Commission indicates that the Committee had received contributions in 2007 from William A. Bennett that reportedly had been made in the names of Melanie Detloff, Julie Ott and James Wyckoff for \$2,300 each. The contributions in issue relate to the March 8, 2008, Louisiana Republican special primary election. On its 2007 Year-End Report, the Committee identified Bennett, who also contributed \$2,300 on the same date as the other contributors, as a Benetech executive and contributor Wyckoff as the owner of United Properties Development in New Jersey. There are no employers listed for contributors Ott and Detloff.

According to public sources, Benetech is a limited liability company headquartered in New Orleans for which Bennett reportedly serves as President and Julie Ott as Chief

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Administrative Officer. See BENETECH, <http://www.gobenetech.com/about/> (last visited June 19, 2012). Publicly available state marriage and Commission records reflect that Melanie Detloff was formerly Bennett's spouse. See ANCESTRY.COM, <http://search.ancestry.com/search/db.aspx?dbid=1100> (Nevada Marriage Index, 1956-2005) (reporting marriage between Melanie R. Detloff and William A. Bennett on July 24, 2004); Romney for President, Inc., April 15 Quarterly Report at 344 (Apr. 13, 2007) (reattributing \$2,100 of contribution from William Bennett to his spouse, Melanie Beannett).

On June 21, 2011, after consulting with the Reports Analysis Division, the Committee filed a Form 99, which informed the Commission that:

On December 19, 2007, the Scalise for Congress campaign received four checks as part of a fundraising event. These checks were in the amounts of \$2,300 each from William Bennett, Julie Ott, James Wyckoff and Melanie Detloff. On June 15, 2011, the campaign was notified by a donor, William Beinett, that he reimbursed the other three individuals named above for their respective contributions to the Scalise for Congress campaign. Before this notification on June 15, 2011, the campaign never had any information that would have led to question the validity of the checks. The checks in question were reported on the FEC report filed for the fourth quarter 2007.

The Committee further explained that it would disgorge all four of the contributions, totaling \$9,200, to the U.S. Treasury. The Committee did so on June 21, 2011. See Scalise for Congress, July 15 Quarterly Report at 96 (July 14, 2011). In response to RAD's inquiry, the Committee responded that it had no additional information regarding the matter beyond its June 21, 2011, statement. Referral at 2.

In its Response to the Commission's notification of this matter, the Committee reiterates the information it provided previously: on their face, the contributions did not appear improper, and the Committee "swiftly took action to remedy the situation" upon

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learning from Bennett that the contributions were made in the names of others by disgorging the contributions. See Committee Resp.

### B. Legal Analysis

The Federal Election Campaign Act of 1971, as amended (the "Act") makes it unlawful for any candidate, political committee, or other person to knowingly accept or receive contributions in the name of another. 2 U.S.C. § 441f. The Act also prohibits any candidate or political committee from knowingly accepting any contribution in violation of the contribution limits set forth in section 441a. 2 U.S.C. § 441a(f).

Although the Committee accepted the contributions by Ott, Detloff and Wyckoff, it has represented that it had no reason to doubt the validity of the contributions before Bennett notified them that he had reimbursed those contributions. The Commission is aware of no information to the contrary. Therefore, there is no reason to believe that Scalise for Congress and William Vanderbrook, in his official capacity as treasurer, violated 2 U.S.C. §§ 441a(f) and 441f.

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